
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

MELVIN C. PAUL,
TDCJ 932966,

Plaintiff,

versus

STATE OF TEXAS,

Defendant.

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CIVIL ACTION H-07-2192

Opinion on Dismissal

Melvin C. Paul filed a notice to the court, affidavit of complaint, and motion for evidentiary hearing; construed as a complaint for civil rights violations. 42 U.S.C. § 1983. Paul is in prison.

Paul's claims follow. Paul was housed in the Regional Medical Facility. He requested Sudafed and was given nanorobots. These nanomachines were designed to eavesdrop on his conversations without his knowledge or consent—to spy on his life. These devices interfere with his hearing and mental processes, disabling his normal life.

Paul noticed something was going on when Nurse Caroline began giving him this medicine. When Paul would grind his teeth, he would hear an echoing sound in his head, a woman's voice saying "that's the sound of him grinding his teeth." Paul started talking to the woman's voice and she responded. Then several people began asking him questions about a woman in his criminal case. Paul would look around the room to see if those voices were coming from someone else, but no one else was in the room with him. The voices were coming from within his head, as if from a loud speaker. The woman's voice kept bringing up this woman's name from Paul's criminal case. The voice asked him all kinds of questions about her and telling Paul that he has no business in prison, and that before he left prison, they would kill him.

One night, several people came into Paul's room and shot him with a taser gun and a woman's voice on the nanomachine said, "How do you like that! Now talk to me about what happened." The woman on the machine and the device in Paul's head has made his life

miserable with its many features. This includes symbolic messages, hallucinations in his mind, images like sketches of people having sex, and sketches turning into animated pictures in Paul's mind. These nanomachines have overtaken Paul's mind with pictures and brainstorming speculation about his criminal case.

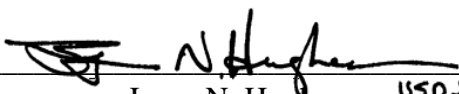
This has been going on for the past three years, night and day, and continued to the day Paul wrote the complaint. The medical staff and the prison administration are responsible for these acts. This illegal surveillance has hampered Paul's efforts to seek judicial relief.

Paul's allegations are fantastic and delusional. Paul's claims are not recognized at law and have no arguable basis in fact. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (allegations that are fantastic or delusional lack an arguable basis in fact). They are subject to dismissal under the pauper's statute. *Id.*; 28 U.S.C. § 1915A(b)(1).

This case will be dismissed. The Texas Department of Criminal Justice will deduct 20% of each deposit made to the plaintiff's inmate trust account and pay this to the court regularly, when the account exceeds \$10, until the \$350 filing fee is paid.

The Clerk will send a copy to the TDCJ - Office of the General Counsel, Capitol Station, P.O. Box 13084, Austin, Texas, 78711, Fax: 512-936-2159; to the Inmate Trust Fund, P.O. Box 629, Huntsville, Texas 77342-0629, Fax: 936-437-4793 by facsimile transmission, regular mail, or e-mail; and to the District Clerk for the Eastern District of Texas, 211 West Ferguson, Tyler, Texas 75702, Attention: Three-Strikes List, by regular mail or e-mail.

Signed July 18, 2007, at Houston, Texas.



Lynn N. Hughes USDJ
United States District Judge